

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

CHANNY V.,
Plaintiff,

V.

ANDREW M. SAUL, Commissioner of
Social Security Administration,
Defendant.

C.A. No. 20-90-JJM-LDA

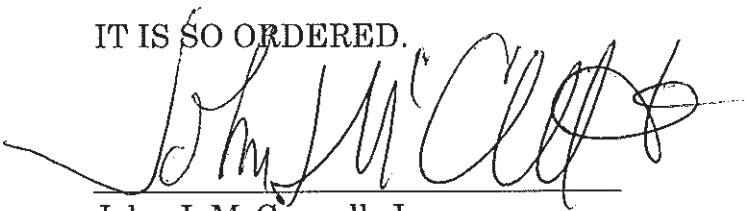
ORDER

Before the Court is the Report and Recommendation of Magistrate Judge Lincoln D. Almond ("R&R") recommending that Plaintiff's Motion to Reverse (ECF No. 10) be GRANTED, the Commissioner's Motion to Affirm (ECF No. 13) be DENIED, and that Final Judgment enter in favor of Plaintiff reversing the Commissioner's decision pursuant to sentence four of 42 U.S.C. section 405(g) and remanding this case solely for the calculation and payment of benefits. The Commissioner Objects. ECF No. 17.

After reviewing the motions, the R&R, and the objections, the Court accepts the R&R for the reasons stated therein. The Commissioner's objections to the R&R are overruled. The confusing testimony is directly related to the language difficulties of the elderly immigrant from Cambodia. Moreover, the award of benefits under section four of 405(g) is also appropriate here based on the record before the Court and after a previous remand of this matter where the record was not adequately developed as instructed.

Plaintiff's Motion to Reverse (ECF No. 10) be GRANTED, the Commissioner's Motion to Affirm (ECF No. 13) be DENIED, and that Final Judgment shall enter in favor of Plaintiff reversing the Commissioner's decision pursuant to sentence four of 42 U.S.C. section 405(g) and remanding this case solely for the calculation and payment of benefits.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "John J. McConnell, Jr.", written over a horizontal line.

John J. McConnell, Jr.
Chief Judge
United States District Court

October 19, 2020